

REMARKS

The Applicant thanks the Examiner for the careful consideration of this application. Claims 216-219, 221, and 223-233 are currently pending. By this Amendment, claims 216, 221, and 233 have been amended, and claims 220 and 222 have been canceled, without prejudice. Based on the foregoing amendments and the following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Allowable Subject Matter

The Applicant appreciates the Office Action's indication of allowable subject matter in claim 222. To expedite prosecution of this application, independent claim 216 has been amended to include the subject matter of claim 222, plus intervening claim 220. In addition, independent claim 233 has been amended to include the subject matter of allowable claim 222 and intervening claim 220. Accordingly, the Applicant submits that the present application is in condition for allowance.

Rejections under 35 U.S.C. § 103

(I) The Office Action rejected claims 216-221 and 223 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,067,275 to Constance ("Constance") in view of U.S. Patent No. 4,976,064 to Julien ("Julien"), U.S. Design Patent No. 416,102 to Schulman ("Schulman"), and U.S. Patent No. 5,555,676 to Lund ("Lund"). Claims 217-221 and 223 depend variously from allowable claim 216. Accordingly, the Applicant submits that this

rejection is now moot.

(II) The Office Action rejected claims 224 and 233 under 35 U.S.C. §103(a) as being unpatentable over Constance in view of Julien, Schulman, and Lund, and further in view of U.S. Patent Application Publication No. 2002/0184820 to Mauney (“Mauney”). Claim 224 depends from allowable claim 216. Claim 233 has been amended to recite allowable subject matter. Accordingly, the Applicant submits that this rejection is now moot.

(III) The Office Action rejected claims 225-228 and 230-232 under 35 U.S.C. §103(a) as being unpatentable over Constance in view of Julien, Schulman, Lund, and further in view of U.S. Patent No. 3,137,096 to Hopkins (“Hopkins”), U.S. Patent No. 3,812,619 to Wood (“Wood”), and U.S. Patent No. 4,403,443 to Valente (“Valente”). Claims 225-228 and 230-232 depend variously from allowable claim 216. Accordingly, the Applicant submits that this rejection is now moot.

(IV) The Office Action rejected claim 229 under 35 U.S.C. §103(a) as being unpatentable over Constance in view of Julien, Schulman, Lund, Hopkins, Wood, and Valente, and further in view of U.S. Patent No. 4,976,064 to Young et al. (“Young”). Claim 229 depends variously from allowable claim 216. Accordingly, the Applicant submits that this rejection is now moot.

Applicant: W. Michael Bissonnette et al.

Appl. No.: 10/528,110

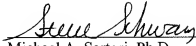
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Date: 10/27/2008


Michael A. Sartori, Ph.D.
Registration No. 41,289
Steven J. Schwarz
Registration No. 47,070
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

#308910